

REMARKS

This application has been carefully reviewed in light of the Office Action dated December 18, 2003. Claims 1 to 28 remain pending in the application, of which Claims 1, 7, 11, 17 and 21 to 28 are independent. Reconsideration and further examination are respectfully requested.

Applicant wishes to thank the Examiner for the indication that Claims 2 to 6, 8 to 10, 12 to 16 and 18 to 20 would be allowable if they are rewritten into independent form. Applicant has chosen not to rewrite any of these claims into independent form at this time since it is believed, for at least the reasons set forth below, that the base claim of each of the foregoing claims are allowable.

Claims 1, 7, 11, 17 and 21 to 28 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,456,340 (Margulis) in view of U.S. Patent No. 6,141,012 (Bollman). Reconsideration and withdrawal of the rejections are respectfully requested.

The present invention concerns retaining or discarding meta-data elements associated with digital images when the images are combined or transformed. According to one aspect of the invention, one of a plurality of self-describing attribute tags are added to at least one meta-data element, where the self-describing attribute tag indicates whether the meta-data element, and a corresponding similarly identified meta-data element from a further digital image should be retained or discarded, either in a case that the two images are combined, or in the case where the digital image is transformed, and where the retention or discarding of the meta-data elements is dependent on the configuration of the meta-data elements.

Referring specifically to the claims, amended independent Claim 1 is a method of augmenting meta-data associated with a digital image, wherein the meta-data comprises at least one meta-data element, the method comprising adding one of a plurality of self-describing attribute tags to the at least one meta-data element, the self-describing attribute tag indicating whether the meta-data element, and a corresponding similarly identified meta-data element from a further digital image should be retained or discarded in a case that the two images are combined, wherein the retention or discarding of the meta-data elements is dependent on the configuration of the meta-data elements.

Amended independent Claims 21 and 25 are apparatus and computer-readable medium claims, respectively, that substantially correspond to Claim 1.

Amended independent Claim 7 is along the lines of Claim 1 and is a method of augmenting meta-data associated with a digital image, wherein the meta-data comprises at least one meta-data element, the method comprising adding one of a plurality of a self describing attribute tags to the at least one meta-data element, the self-describing attribute tag indicating whether the meta-data element should be retained or discarded in the case where the digital image is transformed, wherein the retention or discarding of the meta-data element is dependent on the configuration of the meta-data element.

Amended independent Claims 22 and 26 are apparatus and computer-readable medium claims, respectively, that substantially correspond to Claim 7.

Amended independent Claim 11 is a method of combining meta-data associated with a plurality of images, wherein the images each have associated therewith meta-data comprising at least one corresponding meta-data element having associated therewith one of a plurality of attribute tags which indicate whether a corresponding meta-data element should be retained or discarded in a case where the images are

combined, the method comprising the steps of reading the attribute tag of each meta-data element to identify whether the corresponding meta-data element should be retained or discarded, and combining one or more similar meta-data elements associated with the images, and retaining or discarding the combined meta-data elements and one or more further meta-data elements, depending on the attribute tags corresponding to those meta-data elements.

Amended independent Claims 23 and 27 are apparatus and computer-readable medium claims, respectively, that substantially correspond to Claim 11.

Amended independent Claim 17 is a method of retaining meta-data associated with a digital image, wherein the image has associated therewith meta-data comprising at least one meta-data element having associated therewith one of a plurality of attribute tags which indicate whether the meta-data element should be retained or discarded in a case where the image is transformed, the method comprising the steps of reading the attribute tag of the meta-data element to identify whether the meta-data element should be retained or discarded, and retaining the meta-data element of the image depending on the attribute tag corresponding to the meta-data element, wherein the retention of the meta-data element is dependent on the configuration of each meta-data element.

Amended independent Claims 24 and 28 are apparatus and computer-readable medium claims, respectively, that substantially correspond to Claim 17.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of Claims 1, 7, 11, 17 and 21 to 28. More particularly, with regard to Claims 1, 7, 21, 22, 25 and 26, the applied art is not seen to disclose or to suggest at least the feature of adding one of a plurality of self-describing attribute tags to the at least one meta-data element, the self-describing attribute tag indicating whether the

meta-data element, and a corresponding similarly identified meta-data element from a further digital image should be retained or discarded in a case that the two images are combined, wherein the retention or discarding of the meta-data elements is dependent on the configuration of the meta-data elements. Similarly, with regard to Claims 11, 17, 23, 24, 27 and 28, the applied art is not seen to disclose or to suggest at least the feature of, in a case where images are combined, retaining or discarding combined meta-data elements and one or more further meta-data elements, depending on attribute tags corresponding to those meta-data elements, (Claims 11, 23 and 27), or in a case where an image is transformed, retaining a meta-data element of the image depending on the attribute tag corresponding to the meta-data element, wherein the retention of the meta-data element is dependent on the configuration of each meta-data element (Claims 17, 24 and 28).

The Office Action admits that Margulis fails to disclose or to suggest self-describing attribute tags or a manner of retention of meta data elements based on the attribute tags. However, the Office Action cites Bollman as allegedly making up for Margulis' deficiencies.

Bollman is merely seen to disclose a scheme that generates image processing source code for custom applications automatically by using structured image (SI) technology. Bollman describes an example where a structured image definition (SID) file is associated with a top level SI. SIs are described in the SID file as a set of "tags" in structured image definition language (SIDL). As Applicant understands Bollman, the "tags" are specified by the name of the tag type and the tag body enclosed by "{" and "}". Tags may be named using the ":name" syntax. The tag name can be used as a reference to other tags by prefixing "\$". An Object tag is the top level tag of the SI, where the Object tag represents an IPD object and its description is in the referenced tag "ipdl". The IPD tag

"ipdl" defines the AspectRatio and DefaultWidth tags, the pasteboard attributes FitMode, Justification and Angle, and four Merge tags whose sequence specifies the merging order of "merge1" through "merge4". Each Merge tag specifies a merging point relative to the pasteboard with the MergePoint tag, and an image processing sequence with a Path tag. The Path tag denotes the child object with another Object tag, the relative size with a Size tag, the position of the ControlPoint (relative to the child) with the ControlPoint tag, and the image processing operations with a list of IPO tags. (See column 15, lines 35 to 59.) However, Bollman is silent with regard to retaining or discarding meta-data elements when images are combined or transformed based on attribute tags of each meta-data element. Accordingly, Bollman is not seen to add anything that would have overcome Margulis' deficiencies.

Moreover, Applicant submits that a combination of Margulis and Bollman would not have resulted in the present invention. In this regard, the proposed combination may have, at best, resulted in an apparatus for providing enhanced video displays by combining meta-data and a video stream, where the video images are described in an SID file as a set of "tags" in structured image definition language (SIDL). Although the meta-data elements may be combined, nothing has been found in either Margulis or Bollman that discloses or suggests retaining or discarding the meta data elements based on attribute tags associated with each meta data element when the images are combined or transformed. Accordingly, the proposed combination is not believed to have rendered the present invention obvious.

In view of the foregoing amendments and remarks, all of amended independent Claims 1, 7, 11, 17 and 21 to 28 are believed to be allowable over the applied

art. Accordingly, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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